

## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Georgia

## SECTION 1924 PROVISIONS

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with Section 1924.
- B. In the determination of resource eligibility the State resource standard is dollar maximum allowed in Section 1924(f)(2) as modified by Section 1924(g) of the Act.
- C. Per HCFA Program Issuance Transmittal Notice, MCD-3-91, dated January 11, 1991, Georgia acknowledges the existence of the undue hardship provision of Section 1924(c)(3)(C) of the Act whereby an institutionalized spouse who (or whose spouse) has excess resources shall not be found ineligible under Title XIX of the Act where the state determines that denial of eligibility on the basis of having excess resources would work an undue hardship. This provision is applied to determinations of eligibility as appropriate.
- D. The agency complies with the provisions of Section 1917 of the Act with respect to the transfer of assets, and treatment of certain trusts as provided by OBRA'93.

TN No. 94-007Approval Date 6/8/94Effective Date 1/1/94

Supersedes

TN No. 91-31